

10/521425
Rec'd PCTO 22 MAR 2005

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare:

That my residence, post office address and citizenship are as stated below next to my name.

That I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**HOLOGRAPHICALLY DEFINED SURFACE MASK
ETCHING METHOD AND ETCHED OPTICAL STRUCTURES**

the specification of which (check one)

() is attached hereto.

(X) was filed on July 18, 2003 as
Application Serial No. PCT/US2003/022608
and was amended on _____
(if applicable)
and
was filed on January 14, 2005 as
Application Serial No. 10/521,425
and was amended on _____

That I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

That I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

That I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
			() Yes	() No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	() Yes	() No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	() Yes	() No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	() Yes	() No

That I hereby claim the benefit under Title 35, United States Code, §119 and/or §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

United States Application(s)

<u>60/397,005</u> (Application Serial No.)	<u>7/18/2002</u> (Filing Date)	_____ (Status)-(Patented, pending, abandoned)
<u>60/399,769</u> (Application Serial No.)	<u>7/31/2002</u> (Filing Date)	_____ (Status)-(Patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status)-(Patented, pending, abandoned)

That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint the following attorneys and agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to GREER, BURNS & CRAIN, LTD., 300 South Wacker Drive, Suite 2500, Chicago, Illinois 60606, Telephone No. (312) 360-0080:

Practitioners associated with the Customer Number: 24978

I hereby grant the above-named attorneys the right to insert the application Serial Number in the appropriate place on this document, once such number has been assigned from the United States Patent and Trademark Office.

Full name of sole or one
joint inventor:

120
Yeshaiahu Fainman

Inventor's signature:

J. Fainman

Date:

3-2-05

Residence and Post Office Address:

4729 Shadwell Place

CA
San Diego, California 92130

Citizenship:

United States

Full name of additional
joint inventor, if any:

Wataru Nakagawa

Inventor's signature:

Date:

Residence and Post Office Address:

12200 S. 93rd. Avenue

Palos Park, Illinois 60464

Citizenship:

United States

Address for Correspondence:

GREER, BURNS & CRAIN, LTD.
300 South Wacker Drive, Suite 2500
Chicago, Illinois 60606
(312) 360-0080
Customer No. 24978

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Full name of sole or one joint inventor: Yeshaiahu Fainman

Inventor's signature: _____

Date: _____

Residence and Post Office Address: 4729 Shadwell Place

San Diego, California 92130

Citizenship: United States

Full name of additional joint inventor, if any: Wataru Nakagawa

Inventor's signature: 

Date: February 8, 2005

Residence and Post Office Address: 12200 S. 93rd. Avenue

Palos Park, Illinois 60464 IL

Citizenship: United States

Address for Correspondence: GREER, BURNS & CRAIN, LTD.
300 South Wacker Drive, Suite 2500
Chicago, Illinois 60606
(312) 360-0080
Customer No. 24978

Full name of additional
joint inventor, if any:

3-D
Chyong-Hua Chen

Inventor's signature:

Chyong-Hua Chen

Date:

03-02-05

Residence and Post Office Address:

9366 Redwood Drive, Apt. A

La Jolla, California 92037

CA

Citizenship:

Taiwan, Republic of China

Full name of additional
joint inventor, if any:

Pang-Chen Sun

Inventor's signature:

Date:

Residence and Post Office Address:

4763 Camino Canor

San Diego, California 92130

Citizenship:

United States

Full name of additional
joint inventor, if any:

5-D
Lin Pang

Inventor's signature:

Lin Pang

Date:

03-2-05

Residence and Post Office Address:

3425 Lebon Dr. #518

San Diego, CA 92122

CA

Citizenship:

China

Address for Correspondence:

GREER, BURNS & CRAIN, LTD.
300 South Wacker Drive, Suite 2500
Chicago, Illinois 60606
(312) 360-0080
Customer No. 24978

Full name of additional
joint inventor, if any:

Chyong-Hua Chen

Inventor's signature:

Date:

Residence and Post Office Address:

9366 Redwood Drive, Apt. A

La Jolla, California 92037

Citizenship:

Taiwan, Republic of China

Full name of additional
joint inventor, if any:

4a
Pang-Chen Sun

Inventor's signature:

Date:

Residence and Post Office Address:

Pang-Chen Sun
2/14/05
4763 Camino Canor

San Diego, California 92130

Citizenship:

United States

Full name of additional
joint inventor, if any:

Lin Pang

Inventor's signature:

Date:

Residence and Post Office Address:

3425 Lebon Dr. #518

San Diego, CA 92122

Citizenship:

China

Address for Correspondence:

GREER, BURNS & CRAIN, LTD.
300 South Wacker Drive, Suite 2500
Chicago, Illinois 60606
(312) 360-0080
Customer No. 24978